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Paper No. 30

MAIL

NOV 23 2004

**DIRECTOR OFFICE
TECHNOLOGY CENTER 2600**

**DECISION
ON PETITION**

GREGORY A SEBALD
MERCHANT & GOULD PC
P O BOX 2903
MINNEAPOLIS MN 55402-0903

In re Application of:
HORST, et al.
Application No. 09/281,464
Filed: March 30, 1999
For: **METHOD AND APPARATUS FOR
ASSIGNING ADDRESSES TO COMPONENTS
IN A CONTROL SYSTEM**

This is a response to the request for withdrawal of the notice of abandonment, filed November 4, 2004. The petition is being treated under 37 CFR 1.8(b) to withdraw the holding of abandonment.

The petition is granted.

This application became abandoned for failure to timely file the issue fee in response to the Notice of Allowance and Issue Fee Due mailed January 23, 2004. A Notice of Abandonment was mailed on August 9, 2004.

Petitioner alleges to have timely filed a Request for Continued Examination (RCE) on April 23, 2004. To support this position, Petitioner has included with the instant petition a copy of the RCE and amendment bearing a proper certificate of facsimile transmission with a transmission date of April 23, 2004. Also included with the petition is a copy of an Auto-Reply Facsimile Transmission indicating that a 25 page document from Petitioner was received in the U.S. Patent and Trademark Office on April 23, 2004.

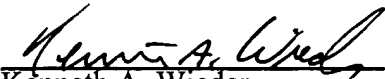
37 C.F.R. § 1.8(b) states that in the event that correspondence is considered timely filed by being mailed or transmitted in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:

- (1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence,
- (2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate, and
- (3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Commissioner to the previous timely mailing or transmission. If the correspondence was sent by facsimile transmission, a copy of the sending unit's report confirming transmission may be used to support this statement.

Petitioner has met the requirements above. Accordingly, the Notice of Abandonment is vacated and the holding of abandonment withdrawn.

Application Serial No.: 09/281,464
Decision on Petition

The application will be forwarded to the Technology Center's technical support staff for entry of the RCE and amendment. From there, the file will be forwarded to the examiner for consideration in due course.


Kenneth A. Wieder
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Technology Center 2600
Communications